



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Joel C. Tyner
Joel for Congress
Misha Fredericks

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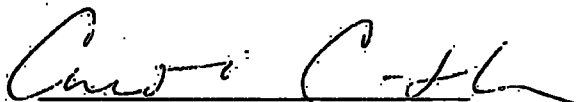
MUR 6666

**STATEMENT OF REASONS OF VICE CHAIR CAROLINE C. HUNTER
AND COMMISSIONER MATTHEW S. PETERSEN**

This matter was generated following a *sua sponte* submission and a complaint filed by Misha Fredericks, a former treasurer of Joel for Congress, which was the authorized committee of 2012 congressional candidate Joel C. Tyner. The submissions alleged that Joel for Congress violated the Federal Election Campaign Act of 1971, as amended, by misreporting cash on hand, omitting certain receipts and disbursements from its reports, and failing to appoint a new treasurer after Fredericks resigned. Fredericks also alleged that Tyner failed to provide receipts supporting his purported campaign expenses and may have converted campaign funds to personal use.

We supported the recommendations of the Office of the General Counsel that the Commission decline to open a MUR and close the file as to Fredericks, dismiss the allegation that Joel for Congress and its then-treasurer acting in his official capacity (the "Committee") violated then-2 U.S.C. § 433(c), and find no reason to believe that Tyner violated then-2 U.S.C. § 439(a). We voted against finding reason to believe that Tyner violated then-2 U.S.C. § 432(e)(1) and 11 C.F.R. § 101.1(a), and the Committee violated then-2 U.S.C. §§ 432(h), 433(a), and 434(a) and (b), because the insignificant amounts at issue and the relatively minor nature of the alleged violations did not justify the use of further Commission resources. Accordingly, we voted to dismiss the allegations pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney*, 470 U.S. 821 (1985).

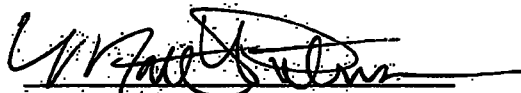
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Caroline C. Hunter
Vice Chair

2/28/17

Date



Matthew S. Petersen
Commissioner

FEB 27, 2017

Date

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